



April 18, 2013

Ms. Karen Dettmer
Redevelopment Authority of the City of Milwaukee
809 N. Broadway
Milwaukee, WI 53202

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
1027 N. Edison St. site, 1027 N. Edison St., Milwaukee, WI
WDNR BRRTS Activity #: 02-41-556655 FID#341200530

Dear Ms. Dettmer:

The Department of Natural Resources (DNR) considers the 1027 N. Edison St. case closed, with continuing obligations. No further investigation or remediation is required at this time. However, the Redevelopment Authority of the City of Milwaukee (RACM) and future property owners must comply with the continuing obligations as explained in the conditions of closure in this letter. Please read over this letter closely to ensure that RACM complies with all conditions and other on-going requirements. Provide this letter and any attached maintenance plan to anyone who purchases this property from RACM. For residential property transactions, the property owner is required to make disclosures under s. 709.02, Wis. Stats.

This final closure decision is based on the correspondence and data provided, and is issued under ch. NR 726, Wisconsin Administrative Code. The DNR Southeast Region Project Manager reviewed this environmental remediation case request for compliance with state laws and standards to maintain consistency in the closure of these cases.

Historically this property has been used as a coal yard, a second-hand materials yard and a snow dump. Currently the site serves as landscaped green space bisected by a pedestrian walkway that spans the Milwaukee River. Historic fill is present at the site at depths of .5 to 12 feet below ground on the north side of the parcel and from 4 feet to 12 feet on the south side. Clean fill and topsoil is present from 0 to 4 feet below ground surface on the southern portion of the site. The conditions of closure and continuing obligations required were based on the current use of the property as green space.

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Groundwater contamination is present above ch. NR 140, Wis. Adm. Code enforcement standards.
- Residual soil/fill contamination exists that must be properly managed should it be excavated or removed.
- A soil barrier must be maintained over contaminated soil and the DNR must approve any changes to this barrier.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's internet accessible Geographic Information System (GIS) Registry to provide notice of residual contamination and of any continuing obligations. DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained online at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf> or at the web address listed below for the GIS Registry.

All site information is also on file at the Southeast Regional DNR office, at 2300 N. Dr. Martin Luther King Jr. Dr., Milwaukee, WI. This letter and information that was submitted with your closure request application, including the maintenance plan, will be included on the GIS Registry in a PDF attachment. To review the site on the GIS Registry web page, visit the RR Sites Map page at <http://dnrmaps.wi.gov/imf/imf.jsp?site=brrts2>.

Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, in order to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the property where a soil cover barrier is required, as shown on the **attached map**, unless prior written approval has been obtained from the DNR:

- removal of the existing barrier;
- replacement with another barrier;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure;
- changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings.

Closure Conditions

Compliance with the requirements of this letter is a responsibility to which RACM and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and the attached maintenance plans are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is present on this contaminated property as shown on the **attached map**. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval.

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil/historic fill contamination remains as indicated on the **attached map**. If soil/fill in the locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated material to determine if contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Cover or Barrier (s. 292.12 (2) (a), Wis. Stats.)

The soil cover that exists in the location shown on the **attached map** shall be maintained in compliance with the **attached maintenance plan** in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if use of the property were to change such that a residential exposure would apply. This may include, but is not limited to single or multiple family residences, a school, day care, senior center, hospital or similar settings. Before using the property for such purposes, you must notify the DNR to determine if additional response actions are warranted.

A request may be made to modify or replace a cover or barrier. The replacement or modified cover or barrier must be protective of the revised use of the property, and must be approved in writing by the DNR prior to implementation.

A copy of the **maintenance plan and inspection log** shall be kept up-to-date and stored at the address of the property owner. Submit the inspection log to the DNR only upon request.

Historic Fill Site

Information presented in the site investigation report indicates that subsurface materials consist of historic fill material. As such, the owner must comply with any conditions required by solid waste rules in chs. NR 500 Wis. Adm. Code rules series as long as any waste materials remain in place. Any future redevelopment of this property must take into consideration the presence of waste materials and will require the issuance of an exemption from the DNR to build on an abandoned landfill prior to the start of any construction. Please refer to the following Development at Historic Fill Site or Licensed Landfill guidances for further information. They can be found on the internet at:

<http://dnr.wi.gov/files/PDF/pubs/rr/RR685.pdf>

<http://dnr.wi.gov/files/PDF/pubs/rr/RR684.pdf>

<http://dnr.wi.gov/files/PDF/pubs/rr/RR683.pdf>

Please send written notifications in accordance with the above requirements to the DNR Southeast Regional office at the letterhead address, to the attention of the Remediation and Redevelopment Environmental Program Associate.

Ms. Karen Dettmer
April 17, 2013
Page 4

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

The DNR appreciates the efforts RACM has taken to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Nancy Ryan at (414) 263-8533.

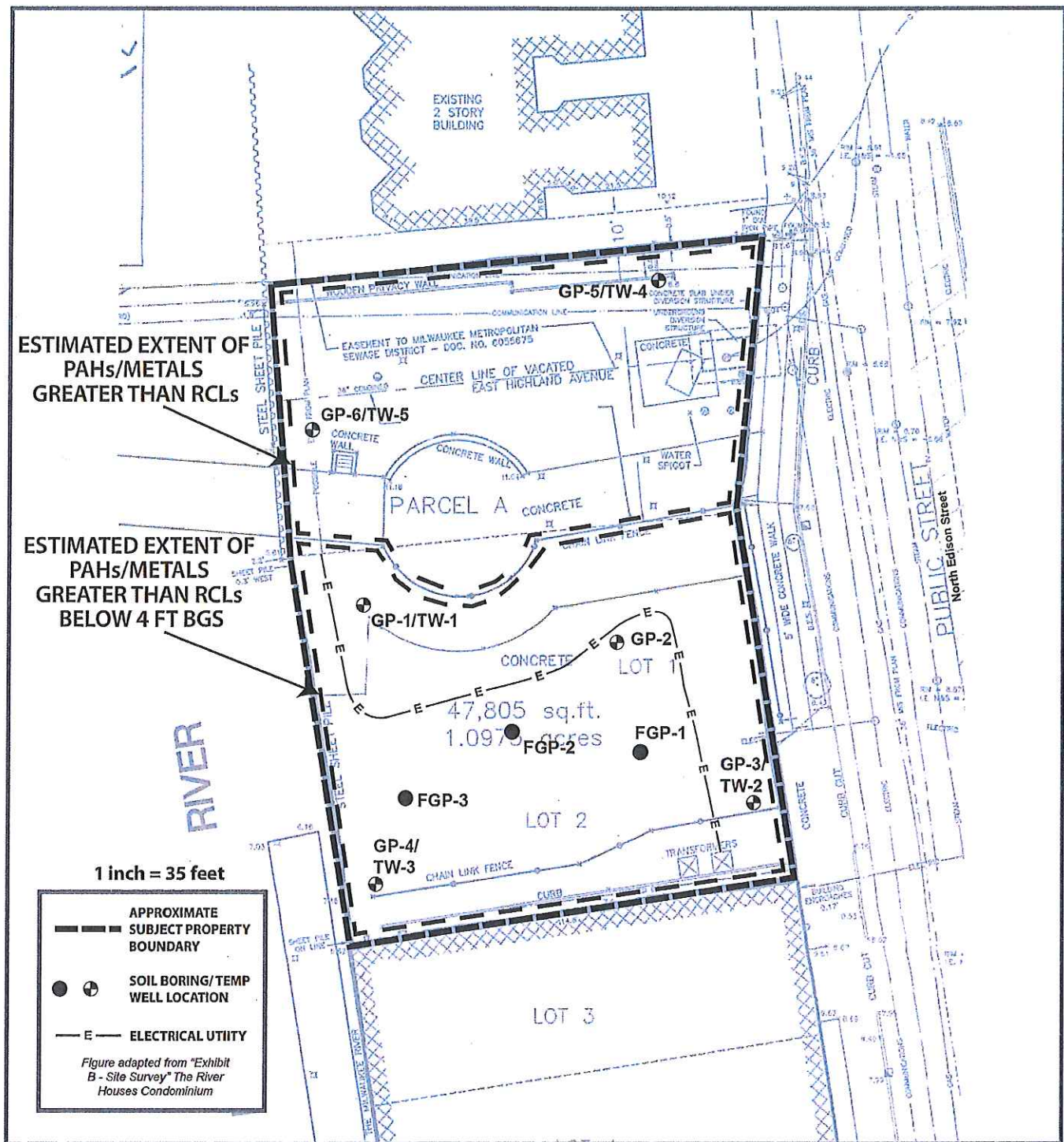
Sincerely,

A handwritten signature in black ink, appearing to read "Pamela A. Mylotta".

Pamela A. Mylotta, Team Supervisor
Southeast Region Remediation & Redevelopment Program

Attachments

cc: SER case file
Stephen Meer, Sigma – electronic copy



Client: City of Milwaukee

Site Address: 1027 North Edison Street
Milwaukee, WI 53202

Project: #10813

THE SIGMA GROUP
Single Source. Sound Solutions.

www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
414-643-4200



FIGURE B.2.c
REMAINING SOIL
CONTAMINATION MAP

**BARRIER MAINTENANCE PLAN
MARCH 2013**

**PROPERTY LOCATED AT:
1027 NORTH EDISON STREET
MILWAUKEE, WISCONSIN**

**FID #341200530
WDNR BRRTS #02-41-556655**

Legal Description: Lots 1 and 2 in Block 49, in the Plat of Milwaukee, a recorded subdivision in the Northeast Fractional $\frac{1}{4}$ of Section 29, Township 7 North, Range 22 East in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Also that part of vacated E. Highland Ave., in the Northeast $\frac{1}{4}$ of Section 29, Township 7 North, Range 22 East, which is bounded and described as follows:

Commencing at a point in the Northeasterly corner of Lot 1 in Block 49 of the Plat of Milwaukee, a recorded subdivision in said $\frac{1}{4}$ Section, running thence westerly along the north line of said Lot 1 and its extension westerly to a point in the easterly established dock line of the Milwaukee River; thence northerly along said easterly established dock line to a point in the center line of vacated E. Highland Ave., said point being the point of the beginning of the land to be described; thence continuing northerly along said established dock line to a point which is 10 feet South of the South line of Lot 11 in Block 50 of said subdivision; thence easterly and parallel to the South line of Lot 11 and its westerly extension to a point in the westerly line of N. Edison St.; thence southwesterly along the westerly line of N. Edison St. to the center line of vacated E. Highland Ave.; thence westerly along the center line of vacated E. Highland Ave. to the point of commencement.

Parcel ID Number: 392-1177-100-7

Introduction

This document is the Maintenance Plan ("Plan") for a barrier at the above referenced property in accordance with s. NR 724.13(2), Wis. Admin. Code. The maintenance activities relate to the existing clean soil cap occupying the area over the contaminated soil on-site.

More site-specific information about this property may be found in:

- The case file in the WDNR Southeast regional office;
- BRRTS on the Web (WDNR's internet based data base of contaminated sites): <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>;
- GIS Registry PDF file for further information on the nature and extent of contamination: <http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=brrts2>; and
- The WDNR project manager for Milwaukee County.

Description of Contamination

Soil contaminated by arsenic, lead, and polynuclear aromatic hydrocarbon (PAH) compounds is located at a depth of 1 foot beneath the ground surface within the northern portion of the property located at 1027 North Edison Street, Milwaukee, Wisconsin. The extent of the soil contamination is shown on the attached Barrier Maintenance Plan Map, Figure 1.

**BARRIER MAINTENANCE PLAN
MARCH 2013**

**PROPERTY LOCATED AT:
1027 NORTH EDISON STREET
MILWAUKEE, WISCONSIN**

**FID #341200530
WDNR BRRTS #02-41-556655**

Description of the Barrier to be Maintained

The Barrier consists of six inches of topsoil and vegetation cover. The Barrier covers the northern portion of the site.

The clean soil barrier over the contaminated soil serves as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current use of the property, the barrier should function as intended unless disturbed.

Maintenance Activities

The property owner shall take the following steps to assure that uncontrolled disturbances of the barrier do not occur:

- WDNR's case closure documents and GIS Registry will establish future land use, development, and/or management restrictions of the site. This Plan will be incorporated into the case closure documents and/or GIS Registry, which will together identify the environmental impacts, the nature of the barrier, the requirements regarding the management of impacted soils, and the availability of this Plan.
- A copy of this Plan will be available from the property owner to all interested parties.
- A copy of this Plan will be provided to all private utilities seeking easements for the purpose of installing facilities on the property.
- A copy of this Plan will be provided to all contractors and repair workers, including utility and landscaping services, during construction and repairs on the property.
- On-site personnel employed by current or future business operators will be made familiar with the contents and restriction requirements of this Plan.

Annual Inspection

The clean soil barrier overlying the contaminated soil will be inspected once a year, normally in the spring after all snow and ice is gone, for any potential problems that can cause exposure to underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age, and other factors. As necessary, the barrier will be repaired as soon as practical to maintain integrity. Repairs may include, but are not limited to, the following: application of additional clean soil to site, restoration of vegetation.

A log of the inspections and any repairs will be maintained by the property owner on the attached "Barrier Inspection Log". The log will include recommendations for necessary repair of any areas where the underlying soil is exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the property owner and will be made available for inspection by representatives of the WDNR upon reasonable prior request.

Planned Breaches of Barrier

In the event the barrier is breached, the following precautions shall be taken:

- Property owner will make soil data available to workers who penetrate the barrier to allow for appropriate health and safety planning.
- The excavation zone and any soils excavated will be secured from public access until the cap is restored. The excavated soil will be placed on an impervious surface (e.g., existing concrete or asphalt pavement or plastic) and covered with plastic. Excavated soil shall be sampled and disposed of at a licensed landfill facility in accordance with applicable solid and/or hazardous waste rules and regulations, unless the WDNR or its successor agency grants approval to replace the soil into the same excavation.
- The barrier will be restored to meet original conditions. This work, including the proper disposal of excess soils, should be completed as soon as practical. Any replacement barrier will be subject to the same inspection and maintenance guidelines as outlined in this Plan unless otherwise indicated by the WDNR or its successor agency.
- Details of the barrier breach, the handling of excavated soils, individuals responsible for the work, and the restoration of the barrier shall be recorded in the barrier maintenance log. The maintenance log will be available for inspection by representatives of the WDNR upon reasonable prior request.





Photo 1: Final site conditions. Structures, topsoil, and vegetation serve as a barrier. (looking west across northern portion of site.)

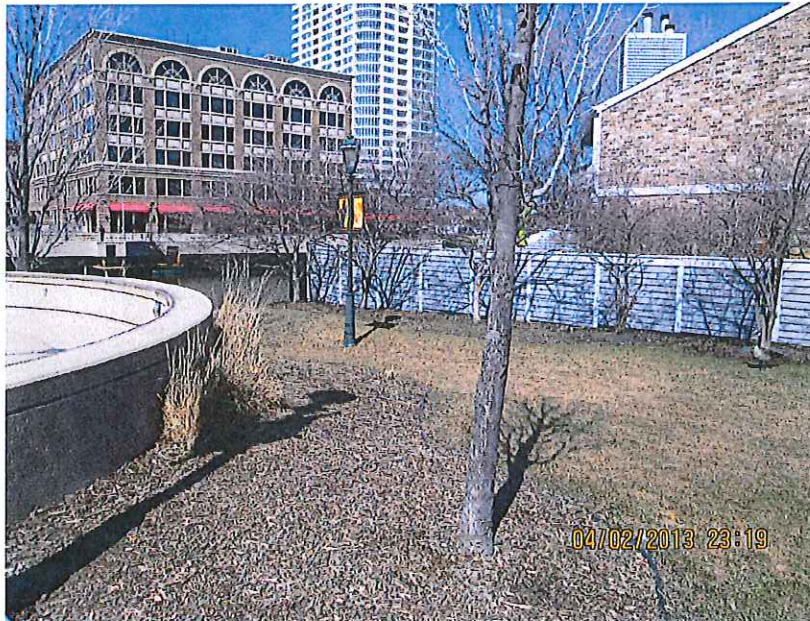


Photo 2: Final site conditions. Structures, topsoil, and vegetation serve as a barrier. (looking northwest on northern portion of site.)

SITE NAME: 1027 N. Edison Street

ADDRESS: 1027 N. Edison Street

Sigma Project Number: 10813

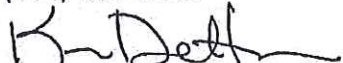
**BARRIER MAINTENANCE PLAN
MARCH 2013**

**PROPERTY LOCATED AT:
1027 NORTH EDISON STREET
MILWAUKEE, WISCONSIN**

**FID #341200530
WDNR BRRTS #02-41-556655**

**Contact Information
March 2013**

Responsible Party: Redevelopment Authority of the City of Milwaukee
Attention: Ms. Karen Dettmer, P.E.
809 N. Broadway
Milwaukee, WI 53202
Telephone: (414) 286-5642

Signature: _____

Consultant: Sigma Environmental Services, Inc.
1300 West Canal Street
Milwaukee, WI 53233
Telephone: (414) 643-4200
Email: smeer@thesimgagroup.com
Contact: Mr. Stephen Meer, P.E.

WDNR: Wisconsin Department of Natural Resources
Remediation & Redevelopment Program
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212
Telephone: (414) 263-8500
Email: nancy.ryan@wisconsin.gov
Contact: Ms. Nancy Ryan